

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

AUG 29 2016

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

JUSTIN LEE BANAS,
Plaintiff,

v.

MIDDLE RIVER REGIONAL JAIL,
Defendant(s).

Civil Action No. 7:16-cv-00350

MEMORANDUM OPINION

By: Michael F. Urbanski
United States District Judge

Justin Lee Banas, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By Order entered July 27, 2016, the court directed plaintiff to submit within 20 days from the date of the Order a signed consent to withholding of fees form in order to complete the application to proceed in forma pauperis as well as the executed verified statement form. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 29th day of August, 2016.

/s/ Michael F. Urbanski

United States District Judge